

# MANDATE

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT  
THURGOOD MARSHALL U.S. COURT HOUSE  
40 FOLEY SQUARE, NEW YORK, N.Y. 10007

Catherine O'Hagan Wolfe  
CLERK OF COURT

Date: 1/23/08

Docket Number: 07-5398-op

Short Title: Padilla v. United States of America

DC Docket Number: 07-cv-10413

DC: SDNY (NEW YORK CITY)

DC Judge: Honorable Kimba Wood

At a stated term of the United States Court of Appeals for the Second Circuit, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 23rd day of January two thousand eight.

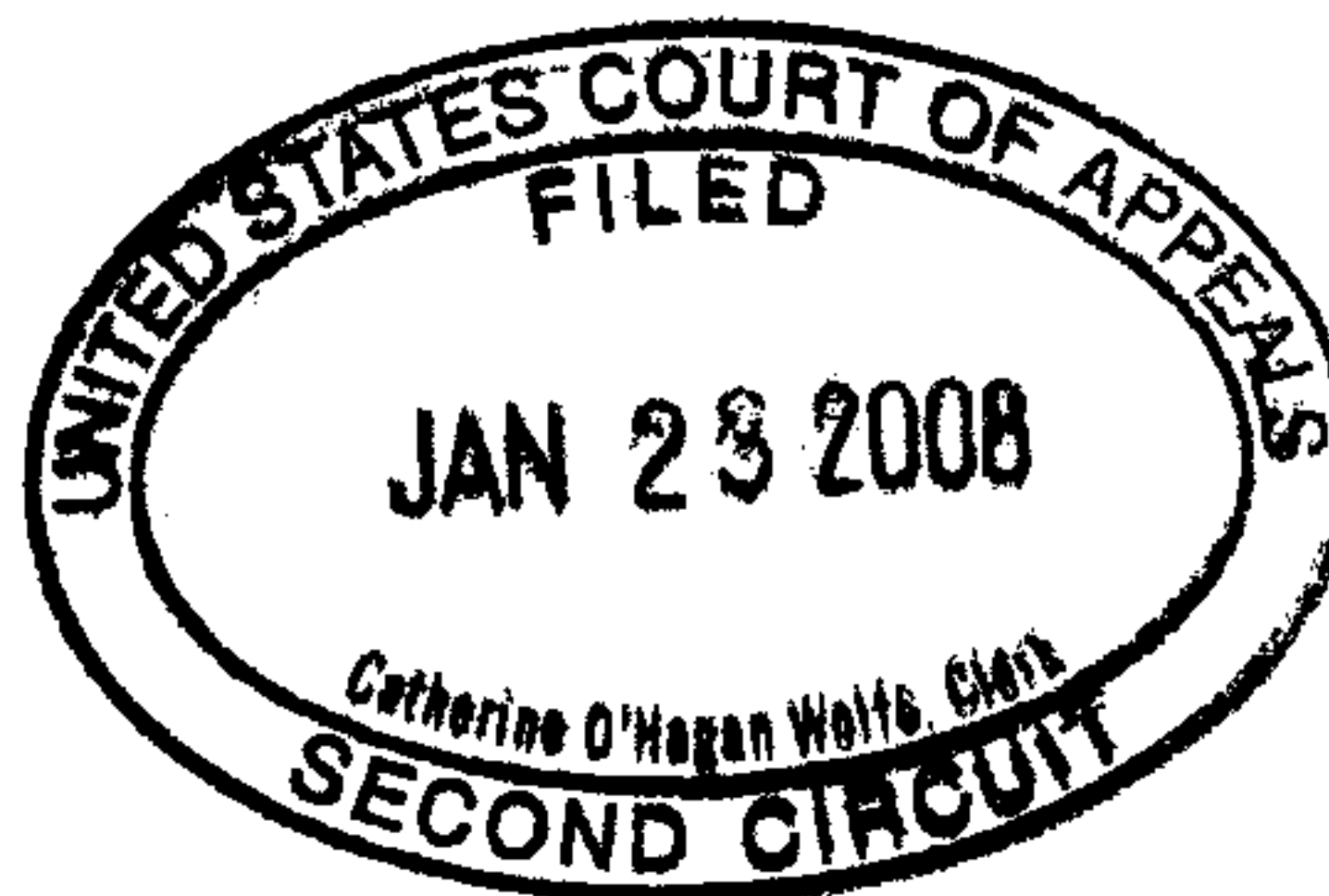
Angel Padilla,

Petitioner,

v.

USA,

Respondent.



**NOTICE HAVING BEEN GIVEN** that the petitioner was required to file an application requesting that this court authorize a second or successive habeas corpus petition in the United States District Court, and **PETITIONER HAVING FAILED** to file said application within the **FORTY FIVE DAYS** prescribed, **authorization for the underlying petition is DENIED pursuant to Liriano v. USA, 95 F.3d 119 (2nd Cir. (NY)).** Any motions pending prior to the entry of this order of dismissal are deemed **MOOT**.

## CERTIFICATE OF MAILING

The undersigned Deputy Clerk hereby certifies that this order was mailed this date to all parties to this action.

For the Court:  
Catherine O'Hagan Wolfe, Clerk

By: Gislaine Phillip  
Gislaine Phillip, Deputy Clerk

A TRUE COPY

Catherine O'Hagan Wolfe, Clerk

by Gislaine Phillip  
Deputy Clerk

—ISSUED AS MANDATE JAN 23 2008—

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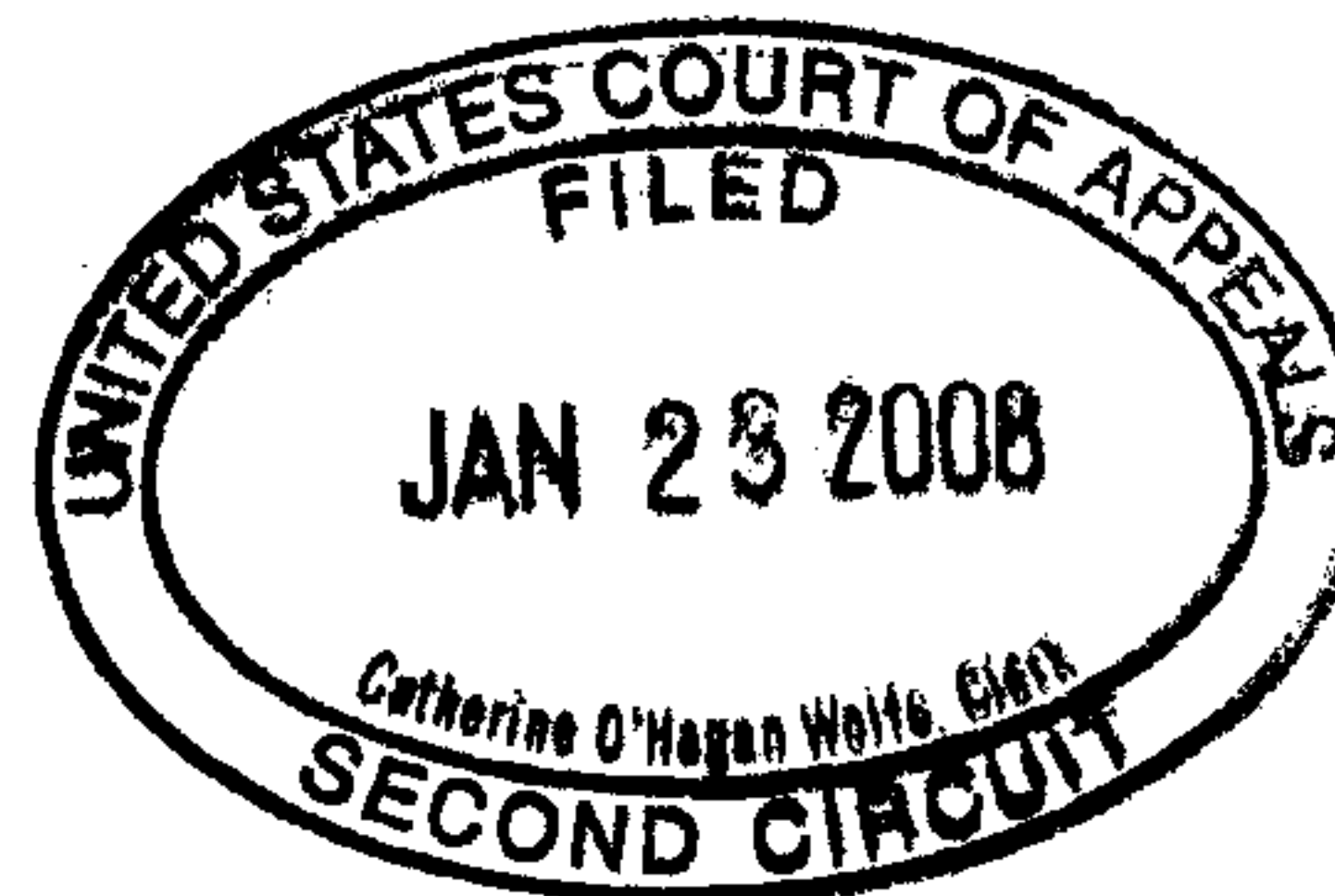
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THE MANDATE CONSISTING OF  
ITEMS BELOW, HAS BEEN RECEIVED  
( ) OPINION ( ) STATEMENT OF COSTS  
(☒) ORDER  
RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

For the Court:

Catherine O'Hagan Wolfe, Clerk

By: Gislaine Phillip

Gislaine Phillip, Deputy Clerk